IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.5110 OF 2003
IN
FIRST APPEAL ST NO.47332 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr.Rajendra Desai for applicant

CORAM : P.V.KAKADE,J.

DATE : 8TH DECEMBER, 2004

P.C.:

1. Heard the advocate for the applicant. None appears for the Respondents though duly served.

2. This is an application for condonation of delay of 346 days in filing First Appeal. The grounds mentioned are usual to the effect that the files were moved from one office to other and finally the

Advocates for the applicant took decision to file the appeal against the judgment and order of the Lower Court. In view of the facts and circumstances I am inclined to hold that the act of the advocate of the applicant should not prejudice the cause of the public body involved in this application, and therefore, allowed the application.

3. The application is made absolute in terms of prayer clause (a) on condition that the cost of Rs.5000/= to be paid by the Applicant within four weeks from the date of this order. Out of which the amount of Rs.3000/= shall be donated to Kirtikar Library and remaining amount of Rs.2000/= shall be paid to the Respondents. With this direction the Application stands disposed of.